

AFFIDAVIT OF JO HOWELL  
SENIOR DOCKETING SPECIALIST FOR DORSEY & WHITNEY LLP

I, Jo Howell, Senior Docketing Specialist of Dorsey & Whitney LLP, hereby certify that:

1. Dorsey & Whitney LLP has a standardized procedure for the processing of all incoming mail from the United States Patent and Trademark Office. Below is an excerpt from Dorsey & Whitney's Procedure Manual:

"Mail/Incoming Documents

All incoming Patent & Trademark correspondence, including foreign, will be delivered directly to the docketing department. . . .

. . . 1. All mail, including foreign correspondence and facsimiles, addressed to IP prosecution personnel or the Intellectual Property Department shall be delivered directly to the docketing department. If any correspondence is received by the attorney that has not been date-stamped or if the docketing stamp is not completed, the correspondence must be immediately forwarded to the docketing department for proper handling. A copy of faxes will be delivered to the attorney marked "copy," which they may use however they would like.

Data will be entered into the computerized docket system by the docket specialist. . . .

3. The attorney, or secretary for the attorney, then reviews the incoming document, compares it with the file, and then compares it with what the docketing department has entered.<sup>1</sup> . . ."


2. This procedure was followed during the processing of the Interview Summary dated August 27, 2002, and received by Dorsey & Whitney, Denver, Colorado, on September 3, 2002.

3. I have been a Docket Specialist for the past 7 years, 2 with Dorsey & Whitney. The Denver office of Dorsey & Whitney receives approximately 50-75 pieces of mail per day on behalf of 13 patent and trademark attorneys.

4. The attorney who was prosecuting this application indicated to me that there was no response needed to the Interview Summary. He had had a telephone conference with the examiner that had resolved the issue.

5. To my knowledge this is the only error of this type made in our office in the two years I have been with the firm.

Dated: July 28, 2003

  
Jo Howell

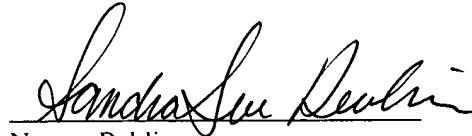
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<sup>1</sup> In the case of a discrepancy, the issue should be immediately resolved with the docket specialist.

State of Colorado                    )  
City & County of Denver         )

Subscribed and sworn to before me this 28 day of May, 2003, by Jo Howell.

Expiration Date: December 3, 2003

  
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Notary Public